

## Message Text

LIMITED OFFICIAL USE POSS DUPE

PAGE 01 BONN 00692 151740Z

64

ACTION EUR-12

INFO OCT-01 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00 DOTE-00

EB-07 INR-07 NSAE-00 RSC-01 FAA-00 SS-15 NSC-05 L-02

/052 W

----- 039158

R 151713Z JAN 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 7266

INFO AMCONSUL MUNICH

AMCONSUL FRANKFURT

AMCONSUL BREMEN

AMCONSUL STUTTGART

LIMITED OFFICIAL USE BONN 00692

E.O. 11652: N/A

TAGS: EAIR, GW

SUBJECT: CIVAIR: SEABOARD TRUCKING PROBLEM AT MUNICH  
AIRPORT

REF: (A) STATE 278362, (B) BONN 19435, (C) BONN 18315

1. EMBASSY CAA HAS DISCUSSED SEABOARD'S TRUCKING PROBLEM WITH FONOFF OFFICIAL KRONECK (OFFICE OF INTL. TRANSPORT AFFAIRS) STRESSING THAT THE PRESENT SITUATION PLACED THE US CARRIER AT SERIOUS COMPETITIVE DISADVANTAGE VIS-A-VIS LUFTHANSA AND THIRD COUNTRY CARRIERS. ON THE BASIS OF A SCHEDULE PROVIDED BY SEABOARD WE WERE ABLE TO DEMONSTRATE THAT LUFTHANSA REGULARLY TRUCKS CARGO FROM DETROIT FOR AIR SHIPMENT VIA CHICAGO. UNDER THESE CIRCUMSTANCES EMB CAA POINTED OUT THAT ARTICLE 8 OF THE BILATERAL AS WELL AS THE FCN TREATY (ART II) WOULD APPEAR PERTINENT.

2. KRONECK SAID THAT IT WOULD NOT BE POSSIBLE

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BONN 00692 151740Z

UNDER THE GERMAN LEGAL SYSTEM FOR THE FRG TO BECOME  
A PARTY TO PROVINCIAL COURT PROCEEDINGS EVEN IF THE

FEDERAL GOVERNMENT'S INTERNATIONAL OBLIGATIONS WERE INVOLVED. HE, NONETHELESS, RECOGNIZED THAT THE PROBLEM MERITED FRG ATTENTION AND UNDERTOOK TO CONSULT WITH FONOFF LEGAL ADVISERS AND THE TRANSPORT MINISTRY (FMT) ON A PRIORITY BASIS. EMPHASIZING SEABOARD'S NEED FOR PROMPT RELIEF FROM THE TRUCKING CHARGE, EMB. CAA URGED THAT AN EFFORT BE MADE TO SEEK AN EXPEDITIOUS AND EQUITABLE SOLUTION, IF POSSIBLE, WITHOUT THE NEED FOR PROTRACTED LEGAL PROCEEDINGS. ALONG THESE LINES, EMB. CAA SUGGESTED THAT THE FRG IN ITS CAPACITY AS A PART OWNER OF THE MUNICH AIRPORT COMPANY MIGHT BE IN A POSITION TO INFLUENCE THE COMPANY TO AFFORD SEABOARD THE SAME TREATMENT AS RECEIVED BY OTHER CARRIERS AS A FIRST STEP TOWARD RESOLVING THE BROADER PROBLEM. (THE FRG HAS A 26 PERCENT INTEREST IN THE MUNICH AIRPORT CO.--NOT 40 PERCENT AS FIRST BELIEVED BY SEABOARD). KRONECK SAID THE POSSIBILITY OF SOME FORM OF MORAL SUASION WAS WORTH CONSIDERING AND PROMISED TO BE IN TOUCH AS SOON AS HE HAD SOMETHING TO REPORT. EMB. CAA LEFT A "NON-PAPER" WITH KRONECK OUTLINING THE PROBLEM FROM THE US VIEWPOINT.

3. WE ALSO CHECKED BACK WITH FMT OFFICIAL PAAS TO APPRISE HIM OF OUR APPROACH TO THE FONOFF AND TO INQUIRE WHAT IF ANY ADDITIONAL INFORMATION THE MINISTRY HAD DEVELOPED (REFTEL C). PAAS SAID THE FMT WAS STILL STUDYING THE SITUATION BUT HAD IN THE MEANTIME REMINDED SEABOARD THAT UNDER IATA RESOLUTION 507B A CARRIER ENGAGING IN TRUCKING MUST PROVIDE SOME AIR SERVICE TO THE AIRPORT IN QUESTION. WE PROVIDED PAAS WITH THE SAME NON-PAPER LEFT AT THE FONOFF POINTING OUT THAT THE SITUATION HAD CHANGED DRASTICALLY IN DECEMBER WHEN THE AIRPORT COMPANY DECIDED NOT TO ATTEMPT TO INTERFERE WITH THE TRUCKING ACTIVITIES OF THE OTHER CARRIERS THEREBY LEAVING SEABOARD AS THE ONLY AIRLINE PAYING THE SPECIAL FEE.

LIMITED OFFICIAL USE  
LIMITED OFFICIAL USE

PAGE 03 BONN 00692 151740Z

4. COMMENT: WHILE THE FONOFF HAS GIVEN US-- INITIALLY AT LEAST--A SYMPATHETIC HEARING WE DO NOT FIND PAAS' REMARKS PROMISING. WE WILL FOLLOW CLOSELY WITH THE OFF BUT IF SATISFACTORY MOVEMENT IS NOT FORTHCOMING WE WILL ESCALATE THE PROBLEM TO A HIGHER LEVEL HERE. THE DEPT. MIGHT ALSO WISH TO CONSIDER RAISING THE QUESTION WITH THE FRG EMBASSY IN WASHINGTON DEPENDING ON DEVELOPMENTS HERE.  
CASH

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL AVIATION, AIR CARGO, AIR TRANSPORTATION, AIRPORTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 15 JAN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975BONN00692  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750016-0195  
**From:** BONN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19750151/aaaabsvy.tel  
**Line Count:** 115  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 278362, 75 BONN 19435, 75 BONN 18315  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MorefiRH  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 27 MAY 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <27 MAY 2003 by SmithRJ>; APPROVED <30 MAY 2003 by MorefiRH>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
05 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CIVAIR: SEABOARD TRUCKING PROBLEM AT MUNICH AIRPORT  
**TAGS:** EAIR, GE  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006